

**IN THE UNITED STATES DISTRICT COURT
DISTRICT OF NEW MEXICO**

HUMAN RIGHTS DEFENSE CENTER,

Plaintiff,

v.

No. 1:24-CV-01091-MIS-KRS

MICHELLE LUJAN GRISHAM, individually and in her capacity as Governor of the State of New Mexico; **ALISHA TAFOYA LUCERO**, individually and in her capacity as Cabinet Secretary of the New Mexico Corrections Department; **MELANIE MARTINEZ**, individually and in her capacity as Deputy Secretary of the New Mexico Corrections Department; **GARY MACIEL**, individually and in his capacity as Deputy Secretary of the New Mexico Correction Department; **BRIAN R. EVANS**, individually and in his capacity as Chief Executive Officer of The GEO Group, Inc.; **WAYNE H. CALABRESE**, individually and in his capacity as President and Chief Operating Officer of The GEO Group, Inc.; **THE GEO GROUP, INC. d/b/a LEA COUNTY CORRECTIONAL FACILITY**, a corporation; **JOHN AND JANE DOES 1-20**, individually and in their official capacities; and **ENTITIES 1-10**,

Defendants.

**STATE OF NEW MEXICO RELATED DEFENDANTS' UNOPPOSED MOTION FOR
SECOND EXTENSION OF TIME TO FILE ANSWER OR OTHER RESPONSE TO
ORIGINAL COMPLAINT AND TO FILE RESPONSE TO MOTION FOR
PRELIMINARY INJUNCTION AND MEMORANDUM IN SUPPORT THEREOF**

COME NOW Defendants Michelle Lujan Grisham, Alisha Tafoya Lucero, Melanie Martinez, and Gary Maciel (hereinafter "State Defendants"), by and through their counsel of record **CARRILLO LAW FIRM, P.C.** (Raúl A. Carrillo, Jr.) and hereby move this court for a second extension of time to answer or otherwise respond to the original complaint and to file a

response to the motion for preliminary injunction filed on October 25, 2024. In support of this motion the State Defendants state as follows:

1. The Original Complaint [Doc. 1] and Motion for Preliminary Injunction [Doc. 3] were filed by the Plaintiff on October 25, 2024.
2. Under FRCP 12(a)(1)(A)(i) the deadline to Answer the Complaint is twenty-one (21) days after service of the Complaint.
3. Service of the Complaint was accomplished on October 30, 2024 on all State Defendants. *See*, Summons Returns [Docs. 7 -10]
4. Defendants' deadline to respond to the original Complaint is therefore Tuesday November 19, 2024.
5. Plaintiffs filed their Motion for Preliminary Injunction on October 25, 2024. *See*, *Motion for Preliminary Injunction* [Doc. 3].
6. Under the District of New Mexico Local Rules of Civil Procedure the response to a Motion is due fourteen (14) days after the Motion is served. *See*, D.N.M.LR-Civ Rule 7.4(a).
7. The deadline to respond to the Motion for Preliminary Injunction was therefore Wednesday November 12, 2024.
8. Defendants did not engage undersigned counsel until November 12, 2024.
9. Undersigned counsel is presently undergoing mandatory medical treatment out of state and that is of limited availability. Opposing counsel has been informed of undersigned counsel's treatment and has agreed to a second extension of time to the State Defendants to file an Answer or other responsive document to the Complaint and for the State

Defendants' Response to the Motion for Injunction, through and including December 20, 2024.

10. Opposing counsel has been contacted for their concurrence in this motion and concurrence has been approved.

WHEREFORE, for the foregoing reasons, the Defendants request an extension of time through and including December 20, 2024 to file their Answer or other responsive document and to file their Response to the Motion for Injunction.

Respectfully submitted,

CARRILLO LAW FIRM, P.C.

/s/ Raúl A. Carrillo, Jr.

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*Attorney for Defendants Grisham,
Lucero, Martinez, and Maciel*

CERTIFICATE OF SERVICE

I HEREBY CERTIFY, that a copy of the above document was served on December 13, 2024 to the following via the District Court of New Mexico's CM/ECF filing system and email:

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/s/ Raúl A. Carrillo, Jr.

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